

REMARKS

**Status of Claims**

Claim 1-5, 8-11 and 14-16 are present for examination.

**Rejection under Sec. 112**

Claims 1-5, 8-11 and 14-16 stand rejected under 35 U.S.C. § 112 as incomplete for omitting essential steps, such omission amounting to a gap between the steps. In view of the rejection, applicant has amended the claims to improve the definiteness therefore and address the concerns of the examiner. It is submitted that the claims now fully conform to the requirements of 35 U.S.C. § 112.

**Prior Art Rejections**

Claims 1-5, 8-11 and 14-16 stand rejected under 35 U.S.C. § 103 as obvious Kashiwamura in view of Croft.

The Examiner's rejections are respectfully traverse.

Applicant has amended independent claim 1 in order to more clearly distinguish applicant's invention from the applied prior art.

The examiner's rejections are respectfully traversed.

Amended claim 1 sets forth a power consumption control method comprising-allowing a user to pre-select one of a first low-power consumption by the reproducing apparatus to the output apparatus capable of outputting sound and/or images based on the reproduced audio and/or video content data through a radio communication interface in an ordinary operation mode; and transitioning at least one of the reproducing apparatus and the output apparatus from said ordinary operation mode to the pre-selected one of the first low-power consumption operation mode and the second low-power consumption operation mode through the radio communication interface, when a data reproduction stop request is made in one or another of the reproducing apparatus and the output apparatus.

Neither Kashiwamura nor Croft, taken singly or in combination, teach the above features.

The Examiner alleges at page 4 of the office action that "Croft teaches ... first mode of standby mode wherein the receiver wakes up periodically to enable the mobile phone to re-determine its present location which means radio connection is still maintained and a second mode of deep -sleep mode wherein all the circuitry of the mobile phone [is] shutdown except for a timer amnd the phone may not receive calls which is the same as radio connection is off (col. 2-4, especially Col. 3 L11 19)"

However, such reasoning is not logical. Apparently, the "re-determination of a present location of the mobile phone 10" (e.g., col. 2, lines 11-14) does not constitute a teaching or suggestion of "maintaining connection of a radio communication between a mobile phone 10 and another apparatus." Croft rather teaches that, in the standby mode, the mobile phone 10 periodically checks for pages (incoming call) to the mobile phone 10 (col. 3, lines 12.15), wherein the mobile phone 10 may receive calls (col. 3, lines 41.44). However, such an operation of merely "checking incoming calls" is not the same thing, is not analogous to, and is not made obvious by the operation of "maintaining connection of a radio communication between a mobile phone 10 and another apparatus." Croft's standby mode does not assure the maintenance of a connection of the radio communication, since , for example, the mobile phone 10 cannot perform a quick resuming of a data reproducing state in the case where a user wishes to quickly resume the data reproducing state after the data reproduction is stopped, unlike the claimed invention. Accordingly, Croft's standby mode is not equivalent to "the first low power consumption operation mode in which connection of a radio communication between a reproducing apparatus and an output apparatus is maintained," as recited in the claims. Consequently, Croft fails to disclose the first and second low power consumption operation modes of the claimed invention.

Moreover, Croft fails to disclose "transitioning at least one of the reproducing apparatus and the output apparatus from an ordinary operation mode to the pre-selected one of the first low power consumption operation mode and the second low-power consumption operation mode, when a data reproduction stop request is made," as recited in the claims.

According to Croft, the mobile phone 10 is transitioned to a certain mode (i.e., a standby mode or a deep sleep mode) that is determined depending on a "current location" of the mobile phone 10 (e.g., Fig. 3; col. 3 line 52 et seq.). This mode which is determined depending on a "current location" is not a mode "pre-selected" by a user. Thus, neither Croft nor Kashiwamura teach or suggest "allowing a user to pre-select one of the first low power consumption operation mode and the second low power consumption operation mode," as recited in the claims.

Moreover, Croft fails to disclose "transmitting audio and/or video content data from," from a reproducing apparatus to an output apparatus, as recited in the claims. That is, Croft is directed to a "mobile phone" that receives/forwards "calls" for user's "conversation," so that there is no teaching with respect to a reproducing apparatus or an output device that transmits or receives the audio and/or video content data. Generally, "call" is controlled using a few commands (e.g., a call reception/forwarding command and termination command), whereas the audio and/or video content data can be controlled using a variety of types of control commands (e.g., play, stop, pause, fast-forward, fast-reverse, etc.) as indicated by the specification, e.g., paragraph [000437]. Among these variety types of control commands, a data reproduction stop request (e.g., a stop or pause request) causes "transition of at least one of the reproducing apparatus and the output apparatus from the ordinary operation mode to the pre-selected one of the first low power consumption operation mode and the second low power consumption operation mode through the radio communication interface," as recited in the claims. Such an operation cannot be performed by the Croft's "mobile phone" that receives/forwards "calls."

As described above, Croft fails to disclose the features of the claimed invention. Even if Kashiwamura's teaching of the headset is combined with Croft's teaching of two different low-power modes, one of ordinary skill in the art would not reach at the claimed invention, since, as discussed above, Croft fails to disclose the specifically claimed limitations. Croft does not provide any motivations to combine the teachings wherein with the teachings of Kashiwamura. For example, Croft fails to suggest a modification of the "mobile telephone" to the "reproducing apparatus or output apparatus that transmits/receives audio and/or video content data." Furthermore, Croft fails to suggest a modification of the "standby mode" to the

"first low-power consumption operation mode in which connection of a radio communication between a reproducing apparatus and an output apparatus is maintained."

MPEP § 2143.03 states that "[t]o establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." In light of the difference discussed above, it is submitted that the PTO has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103 for claim 1.

**Conclusions:**

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date

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By

David A. Blumenthal

FOLEY & LARDNER LLP  
Customer Number: 23392  
Telephone: (310) 975-7895  
Facsimile: (310) 557-8475

David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257